

REMARKS

This is in response to the Official Action mailed July 25, 2007, in which claims 1-16 were held subject to a restriction or election requirement. In the present paper, Applicant has withdrawn claims 11-16. Claims 1-10 remain in the case.

Restriction Requirement

The Examiner has taken the position that the present application contains claims directed to a number of inventions; namely:

Invention I claimed in claims 1-15, 19 and 20 (drawn to a fuel injector, classified in class 239, subclass 585.1),

Invention II claimed in claims 16 and 17 (drawn to a method of defining a working gap, classified in class 239, subclass 5),

Invention III claimed in claim 18 (drawn to a closure assembly, classified in class 239, subclass 583), and

Invention IV claimed in claim 21-20 (drawn to a method of manufacturing, classified in class 29, subclass 890.142).

The Examiner has additionally alleged that the application contains claims directed to the following species:

Species A shown in FIG. 5, and

Species B shown in FIG. 6.

In connection with the Examiner's election of Species Requirement, the Examiner has alleged that claims 1, 16, 18, 19 and 21 are generic.

Election of Invention

As required under 37 C.F.R. § 1.143, applicant makes the following election: Applicant elects the invention of claims 1-15, 19 and 20 (Invention I) to be examined in the present case, without traverse, and without prejudice. Applicant expressly reserves the right to pursue the non-elected claims in one or more divisional applications.

Applicant has withdrawn the non-elected claims.

Election of Species

As to the Examiner's requirement that a species be elected, Applicant traverses that requirement insofar as Applicant asserts that the Examiner has not identified all generic claims. As explained in the present specification at [0033], FIGS. 5 and 6 of the present application illustrate the sealing member 76 embodied as a spherical member (FIG. 6) and as a needle member (FIG. 5).

Claim 4 is directed to a spherical-shaped member, and is therefore drawn to species B. All other claims are generic as to the species defined by FIGS. 5 and 6, inasmuch as none are limited to a single one of those species.

Applicant elects the species of FIG. 5 (species B) for prosecution on the merits.

Applicant asserts that all claims elected above as Invention I are either generic or drawn to species B.

Applicants submit that the elected claims in the case are ready for examination on the merits. Should the Examiner have any questions regarding the present case, the Examiner should not hesitate to contact the undersigned at the number provided below.

Respectfully submitted,

By


Robert T. Canavan
Reg. No. 37,592
Telephone: 908-707-1568

Canavan & Monka LLC
62 Grove Street
Somerville, NJ 08876

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